

1 Mark Potter, Esq., Cal. Bar. No. 166317
2 Sarah Anastasi, Esq., Cal. Bar. No. 322091
3 **Potter Handy, LLP**
4 100 Pine St., Ste 1250
5 San Francisco, CA 94111
6 (858) 375-7385; (888) 422-5191 fax
7 Email: rsa@potterhandy.com

8 *Counsel for Plaintiff*

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL No. 3084 CRB

This Document Relates to:

Honorable Charles R. Breyer

J.P. v. Uber Technologies Inc., et al.
CASE NO. 3:24-cv-02843-CRB

JURY TRIAL DEMANDED

16
17
18
19
20
21
22
23
24
25
26
27
28

FIRST AMENDED SHORT-FORM COMPLAINT
AND DEMAND FOR JURY TRIAL

The Plaintiff named below files this *First Amended Short-Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff incorporates by reference the allegations contained in *Plaintiffs' Master Long-Form Complaint* in *In Re: Uber Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States District Court for the Northern District of California. Plaintiff files this *First Amended Short-Form Complaint* as permitted by Case Management Order No. 6 of this Court.

Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of Actions specific to this case.

Plaintiff, by and through their undersigned counsel, allege as follows:

I. DESIGNATED FORUM¹

1. Identify the Federal District Court in which the Plaintiff would have filed in the absence of direct filing:

Northern District of California

("Transferee District Court")

II. IDENTIFICATION OF PARTIES

A. PLAINTIFF

1. *Injured Plaintiff*: Name of the individual who alleges they were sexually assaulted, battered, harassed, or otherwise attacked by an Uber driver with whom they were paired while using the Uber platform:

J.P., an individual.

("Plaintiff")

2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:

Charlotte, Mecklenburg County, North Carolina

3. (If applicable) _____ [INSERT NAME OF REPRESENTATIVE] is filing this case in a representative capacity as the [INSERT DESCRIPTOR IE ADMINISTRATOR] of the [INSERT DESCRIPTOR IE ESTATE NAME, ETC], and has authority to act in this representative capacity because [INSERT BASIS FOR AUTHORITY].

B. DEFENDANT(S)

1. Plaintiff names the following Defendants in this action.

☒ UBER TECHNOLOGIES, INC.,²

☒ RASIER, LLC,³

¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

² Delaware corporation with a principal place of business in California.

³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

☒ RASIER-CA, LLC.⁴

☐ OTHER (specify):_____. This defendant's residence is in (specify state): _____.

C. RIDE INFORMATION

1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by an Uber driver in connection with a ride facilitated on the Uber platform in Mecklenburg, North Carolina on 5/20/2023.

2. The Plaintiff was the account holder of the Uber account used to request the relevant ride.

3. The Plaintiff provides the following additional information about the ride:
☒ The Plaintiff hereby incorporates Plaintiff's disclosure of ride information produced pursuant to Pretrial Order No. 5 ¶ 4 to be produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4, and any amendments or supplements thereto.

☐ The origin of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The requested destination of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was named [DRIVER NAME].

III. CAUSES OF ACTION ASSERTED

1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*, are adopted in this *Short-Form Complaint* by reference, except that Plaintiff opts out of and excludes the causes of action specified below:

⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

Check any EXCLUDED causes of action	Cause of Action Number	Cause of Action
<input type="checkbox"/>	I	NEGLIGENCE (including Negligent Hiring, Retention, Supervision, and Entrustment)
<input type="checkbox"/>	II	FRAUD AND MISREPRESENTATION
<input type="checkbox"/>	III	NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
<input type="checkbox"/>	IV	COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE SAFE TRANSPORTATION ⁵
<input type="checkbox"/>	V	OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE TRANSPORTATION ⁶
<input type="checkbox"/>	VI	VICARIOUS LIABILITY FOR DRIVERS' TORTS - EMPLOYEE
<input type="checkbox"/>	VII	VICARIOUS LIABILITY FOR DRIVERS' TORTS - APPARENT AGENCY
<input type="checkbox"/>	VIII	VICARIOUS LIABILITY FOR DRIVERS' TORTS - RAIFICATION
<input type="checkbox"/>	IX	VICARIOUS LIABILITY FOR DRIVERS' TORTS - Cal. Public Utilities Code S 535
<input type="checkbox"/>	X	STRICT PRODUCTS LIABILITY - DESIGN DEFECT
<input type="checkbox"/>	XI	STRICT PRODUCTS LIABILITY - FAILURE TO WARN
<input type="checkbox"/>	XII	STRICT PRODUCTS LIABILITY - PRODUCT LIABILITY ACTS
<input type="checkbox"/>	XIII	UNFAIR COMPETITION LAW - Cal. Bus. & Prof. Code S 17200 et seq.

VI. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS

- Plaintiff asserts the following additional theories against the Defendants designated in paragraph __ above:

N/A

- If Plaintiff has additional factual allegations not set forth in *Plaintiffs'*

⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming.**

⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state **except: District of Columbia, Michigan, New York, Pennsylvania.**

Additional facts will be set forth in Plaintiff Fact Sheet to be submitted to court at a separate date.

JURY DEMAND

Dated: January 3, 2025

By: /s/*Sarah Anastasi*
Sarah Anastasi, Esq.
Attorney for Plaintiff